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**Children & Family Services  
Committee**

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**HB 1391**

**Brief Description:** Establishing a work group to study services and programs for children.

**Sponsors:** Representatives Upthegrove and Chase.

**Brief Summary of Bill**

- Requires the Department of Social and Health Services to establish a work group to study the regulation of services and programs for children provided by licensed child care providers and after-school and summer services and programs provided by local governments.

**Hearing Date:** February 2, 2005.

**Staff:** Cynthia Forland (786-7152).

**Background:**

The Department of Social and Health Services (DSHS) is required to license agencies providing care for children outside of their homes as identified by state law. The purpose of this licensing requirement is to assure the users of those agencies, their parents, the community at large, and the agencies themselves that adequate minimum standards are maintained by all agencies caring for children in order to safeguard the health, safety, and well-being of those children receiving care.

The following are included in the agencies identified in state law as subject to licensing by the DSHS:

- child daycare centers, which are defined as agencies that regularly provide care for a group of children for periods of less than 24 hours; and
- family daycare providers, which are defined as child daycare providers who regularly provide child daycare for not more than 12 children in the provider's home in the family living quarters.

The following are included in the list of entities or arrangements specifically exempt from the licensing requirement:

- persons related to or who are the legal guardians of the child in care;
- persons who care for a neighbor's or friend's child or children, with or without compensation, where: the person providing care for periods of less than 24 hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in

- business; or the parent and the person providing care on a 24-hour basis have agreed to the placement in writing and the state is not providing any payment for the care;
- parents on a mutually cooperative basis exchange care of one another's children;
  - nursery schools or kindergartens which are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;
  - schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children, and do not accept custody of children;
  - seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;
  - facilities providing care to children for periods of less than 24 hours whose parents remain on the premises to participate in activities other than employment;
  - an agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe; and
  - an agency located on a federal military reservation, except where the military authorities request that such agency be subject to the state's licensing requirements.

**Summary of Bill:**

The DSHS is required to establish a work group to study the regulation of services and programs for children provided by licensed child care providers and the regulation of after-school and summer services and programs provided by local governments across the state.

The work group is required to:

- determine whether or not there is an inequity in the regulation of services and programs for children provided by licensed child care providers and the regulation of after-school and summer services and programs provided by local governments; and
- identify strategies for addressing any inequities in the regulation of services and programs for children that ensure access to services and programs for children while maintaining the quality of those services and programs.

Membership of the work group must include the following: a representative of the Division of Child Care and Early Learning of the DSHS, a family home child care provider, a child care center provider, a representative of the Association of Washington Cities, and a representative of the Washington State Association of Counties.

The work group is required to report to the Governor and the appropriate committees of the Legislature by January 1, 2006, on the results of its work.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.